

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NOVO NORDISK A/S,

Plaintiff and Counterdefendant,

v.

AVENTIS PHARMACEUTICALS INC,
SANOFI-AVENTIS, and AVENTIS
PHARMA DEUTSCHLAND GMBH

Defendants and Counterplaintiffs.

Case No. 1:05CV00645 SLR

REDACTED - PUBLIC VERSION

DECLARATION OF STEPHEN J. VITOLA

I, Stephen J. Vitola, declare as follows:

1. I am an associate with the law firm of White & Case LLP, counsel for Plaintiff Novo Nordisk A/S, in this litigation. I offer this declaration in support of Novo Nordisk A/S' Motion to Dismiss for Lack of Subject Matter Jurisdiction in light of Novo Nordisk A/S' Covenant Not to Sue.

2. Attached hereto as Exhibit 1 is a true and correct copy of an Ypsomed Holding AG Press Release, dated July 4, 2006.

3. Attached hereto as Exhibit 2 is a true and correct copy of an Ypsomed Holding AG Information on Ad-hoc Announcement, dated September 14, 2006.

4. Attached hereto as Exhibit 3 is a true and correct copy of an Ypsomed Holding AG Press Release, dated September 14, 2006.

5. Attached hereto as Exhibit 4 is a true and correct copy of the transcript of the deposition testimony of Stefan Schwarz, at 114:9-10, dated November 15, 2006.

6. Attached hereto as Exhibit 5 is a true and correct copy of the transcript of the deposition testimony of Stefan Schwarz, at 114:21-115:12, dated November 15, 2006.

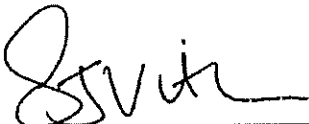
7. Attached hereto as Exhibit 6 is a true and correct copy of the transcript of the deposition testimony of Stefan Schwarz, at 116:14-117:13, dated November 15, 2006.

8. Attached hereto as Exhibit 7 is a true and correct copy of the Rebuttal Expert Report of Raymond S. Sims, dated February 22, 2007.

9. Attached hereto as Exhibit 8 is a true and correct copy of the Covenant not to sue Novo Nordisk has provided to sanofi-aventis.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in New York, NY, on July 5, 2007.



Stephen J. Vitola

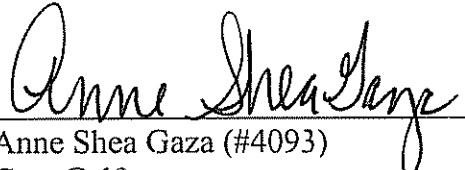
CERTIFICATE OF SERVICE

I hereby certify that on July 12, 2007, I caused to be served by hand delivery the foregoing document and electronically filed the same with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following:

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I hereby certify that on July 12, 2007, I have sent by Federal Express the foregoing document to the following non-registered participants:

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